

Should the sails of the Sydney Opera House be used for advertising?

What they said...

'Why not put it on the biggest billboard Sydney has'

Prime Minister Scott Morrison urging that advertising for the Everest Cup be projected onto the sails of the Sydney Opera House

'It's an architectural icon ... it's not a billboard on the side of the road'

Architect Alan Crocker, the heritage consultant for the Sydney Opera House

The issue at a glance

On October 5, 2018, Louise Herron, the chief executive of the Sydney Opera House, clashed with Sydney radio talkback host, Alan Jones, who called for her sacking for placing limitations on the manner in which Racing New South Wales could use the Opera House sails to advertise The Everest Cup. <https://www.theguardian.com/australia-news/2018/oct/06/its-not-a-billboard-anger-at-use-of-sydney-opera-house-for-horse-racing-ads>

Later that day, the New South Wales premier, Gladys Berejiklian, announced the sails would be used as part of a promotion for the horserace, overriding some of the limitations that Herron had wanted imposed. <https://www.news.com.au/finance/business/media/major-protest-planned-against-plans-to-advertise-on-sydney-opera-house/news-story/5bb028bb1e27387b89bde144d02ed0de>

The dispute escalated to include a range of political leaders. Some, including the Prime Minister, Scott Morrison, supported the use of the sails for advertising, and others, such as Sydney Lord Mayor, Clover Moore, opposed this use of the building.

<https://www.news.com.au/finance/business/media/major-protest-planned-against-plans-to-advertise-on-sydney-opera-house/news-story/5bb028bb1e27387b89bde144d02ed0de>

Various architectural authorities and cultural spokespeople joined the opposition, while a petition rejecting the use of the sails for this purpose attracted more than 300,000 signatures. In the event, the advertising promotion for the Everest Cup went ahead; however, the larger question of the degree to which the Opera House should be commercialised continues to be debated.

Background

The information below is abbreviated from a Wikipedia entry titled 'Sydney Opera House'.

The full text can be accessed at

https://en.wikipedia.org/wiki/Sydney_Opera_House#Public_and_commemorative_events

The Sydney Opera House is a multi-venue performing arts centre in Sydney, New South Wales, Australia. It is one of the 20th century's most famous and distinctive buildings. Designed by Danish architect Jørn Utzon, the building was formally opened on 20 October 1973 after a gestation beginning with Utzon's 1957 selection as winner of an international design competition. The Government of New South Wales, led by the premier, Joseph Cahill, authorised work to begin in 1958 with Utzon directing construction. The government's decision to build Utzon's design is often overshadowed by circumstances that followed, including cost and scheduling overruns as well as the architect's ultimate resignation.

The building and its surrounds occupy the whole of Bennelong Point on Sydney Harbour, between Sydney Cove and Farm Cove, adjacent to the Sydney central business district and the Royal Botanic Gardens, and close by the Sydney Harbour Bridge.

Though its name suggests a single venue, the building comprises multiple performance venues which together host well over 1,500 performances annually, attended by more than 1.2 million people. Performances are presented by numerous performing artists, including three resident companies: Opera Australia, the Sydney Theatre Company and the Sydney Symphony Orchestra. As one of the most popular visitor attractions in Australia, more than eight million people visit the site annually, and approximately 350,000 visitors take a guided tour of the building each year. The building is managed by the Sydney Opera House Trust, an agency of the New South Wales State Government.

Cultural significance

On 28 June 2007, the Sydney Opera House became a UNESCO World Heritage Site, having been listed on the (now defunct) Register of the National Estate since 1980, the National Trust of Australia register since 1983, the City of Sydney Heritage Inventory since 2000, the New South Wales State Heritage Register since 2003, and the Australian National Heritage List since 2005.

Advertising controversy

On 5 October 2018 the Opera House chief executive Louise Herron clashed with Sydney radio commentator Alan Jones who called for her sacking for refusing to allow Racing New South Wales to use the Opera House sails to advertise The Everest horse race. Within hours, New South Wales Premier, Gladys Berejiklian, overruled Herron. Two days later, Prime Minister Scott Morrison supported the decision, calling the Opera House 'the biggest billboard Sydney has'. The New South Wales Labor party leader, Luke Foley, and senior federal Labor frontbencher Anthony Albanese have supported the proposal. The political view is not supported by significant public opinion, with a petition against the advertising collecting over 298,000 names by 9 October 2018. 235,000 printed petition documents were presented to the New South Wales parliament in the morning. A survey conducted on 8 October by market research firm Micromex found that 81% of those surveyed were not supportive of the premier's direction.

Internet information

On October 22, 2018, Architectureau published a comment by Clare Cousins and Andrew Nimmo titled 'Sydney Opera House: Celebrating and protecting an Australian icon'

The opinion piece outlines the need to preserve the status of the Sydney Opera House.

The full text can be accessed at <https://architectureau.com/articles/sydney-opera-house-celebrating-and-protecting-an-icon/>

On October 17, 2018, AltMedia published a comment by Gabe Merkel titled 'Shame on you, Mr Jones' which suggests the high political price those politicians believed to be influenced by Alan Jones may pay at the next election.

The full text can be accessed at <http://www.altmedia.net.au/shame-on-you-mr-jones/134635>

Please note: you will need to scroll down a page before the opinion piece becomes visible

On October 15, 2018, habitusliving published a comment by Stephen Todd titled 'Are The Sydney Opera House Sails For Sale?'

The comment is particularly critical of Alan Jones' attempt to present himself as speaking for the people of Sydney.

The full text can be accessed at <https://www.habitusliving.com/design-hunters/sydney-opera-house-sailsnotsales-2018>

On October 12, 2018, The Australian published a comment by Gerard Henderson titled 'Great media U-turns of our time'

The opinion piece suggests that the Fairfax media has been hypocritical in its criticism of the use of the Sydney Opera House to promote the Everest Cup.

The full text can be accessed at <https://www.theaustralian.com.au/opinion/columnists/gerard-henderson/media-watch-dog-fairfaxs-opera-house-uturn-isnt-so-sacred/news-story/337b347953b24ce3bb9444e6243ac90d>

On October 12, 2018, Independent Australia published a comment by Binoy Kampmark titled 'The Sydney Opera House: Beauty, dignity and class have a price'

This opinion piece looks at the contest between commercial and aesthetic considerations which have affected the Sydney Opera House from its initial design and construction to the current controversy.

<https://independentaustralia.net/australia/australia-display/the-sydney-opera-house-beauty-dignity-and-class-have-a-price,11987>

On October 10, 2018, Hunter and Bligh published an analysis by Chris Kelly titled 'Sydney Opera House Promo: Yay or Neigh?' The article gives an overview of the development of the issue and includes links to articles treating different sides of the question.

The full text can be accessed at <https://www.hunterandbligh.com.au/comment/horseplay-sydney-opera-house-vs-racing-nsw-vs-alan-jones-vs-everyone-else/>

On October 10, 2018, The Sydney Morning Herald published a news report titled 'Racing NSW wants to put The Everest Opera House promotion "behind us"'

The report details the decision by Racing New South Wales to promote The Everest Cup differently in 2019.

<https://www.smh.com.au/politics/nsw/racing-nsw-wants-to-put-the-everest-opera-house-promotion-behind-us-20181010-p508qm.html>

On October 9, 2018, ABC News published a report titled 'Alan Jones apologises for Opera House interview, as petition with 235,000 signatures delivered'

The report gives the background to the issue and includes Alan Jones apology to Louise Herron, the chief executive of the Sydney Opera House, for any offence given in his interview with her. Jones also explains what he intended via his previous comments.

<https://www.abc.net.au/news/2018-10-09/alan-jones-apologises-opera-house-advertising-spray/10354304>

On October 9, 2018, The Daily Telegraph published a comment by Anna Caldwell titled 'Inside the plan to light up the Opera House sails'

The article argues that the antecedents of the current controversy date back to September 20, 2018, when the chief executive of Racing New South Wales, Peter V'landys, publicly lambasted the New South Wales government for its supposed failure adequately to support the Everest Cup.

The full text can be accessed at <https://www.dailytelegraph.com.au/news/opinion/inside-the-plan-to-light-up-the-opera-house-sails/news-story/a48bb789caa1db3c1bf8aae2f250fb40>

On October 9, 2018, Foreground published a background and opinion piece titled 'The Sydney opera that nobody wants'

The article is critical of the decision taken by Premier Gladys Berejiklian to have the Everest Cup promoted on the sails of the Sydney Opera House.

The full text can be accessed at <https://www.foreground.com.au/politics/sydney-opera-nobody-wants/>

On October 9, 2018, AdNews published a series of comments from Australian marketers under the headline 'Should the Opera House be open to advertisers?' Most comments were strongly opposed to the Opera House being used for advertising.

The full text can be accessed at <http://www.adnews.com.au/news/should-the-opera-house-be-open-to-advertisers#JsEZ32wVKzAfzp9m.99>

On October 8, 2018, ABC News published a comment by Dr Rohan Miller, senior lecturer at The University of Sydney Business School, titled 'Sydney Opera House wasn't meant to be an ivory tower, so why not advertise on it?'

The opinion piece presents a case in favour of commercialising the Sydney Opera House.

The full text can be accessed at <https://www.abc.net.au/news/2018-10-08/opera-house-wasnt-meant-to-be-an-ivory-tower/10352042>

On October 8, 2018, SBS News published a report titled 'Opera House promotion could be illegal: National Trust NSW'

The article considers the possibility that the current use of the Opera House sails for the promotion of the Everest Cup may be in violation of the laws regulating its use.

The full text can be accessed at <https://www.sbs.com.au/news/opera-house-promotion-could-be-illegal-national-trust-nsw>

On October 8, 2018, TechGuide published a comment by Stephen Fenech titled 'Should we be outraged about the Everest projection on the Sydney Opera House?'

The comment argues that those critical of using the Opera House for commercial purposes are over-reacting.

The full text can be accessed at <http://www.techguide.com.au/blog/outraged-everest-projection-sydney-opera-house/>

On October 8, 2018, Junkee published a comment by Rob Stott titled 'The Alan Jones Opera House Scandal Is Sydney At Its Absolute Worst' which claims that corruption is endemic in New South Wales politics and that the recent controversy surrounding the use of the Opera House for advertising exemplifies this.

The full text can be accessed at <https://junkee.com/alan-jones-sydney/177363>

On October 8, 2018, Architectureau published a report by Linda Cheng titled 'Sydney Opera House "not an advertising billboard"'.
Though the article canvasses both sides of the issue, it emphasises the views of politicians and architects opposed to the use of the Opera House sails for commercial promotions.

The full text can be accessed at <https://architectureau.com/articles/sydney-opera-house-not-an-advertising-billboard/>

On October 7, 2018, The Sydney Morning Herald published a comment by Peter V'landys, the chief executive of Racing New South Wales, titled 'Promotion was always going to be

good for Sydney', giving Racing New South Wales justification for using the sails of the Sydney Opera House to promote the Everest Cup.

The full text can be accessed at https://www.smh.com.au/national/nsw/promotion-was-always-going-to-be-good-for-sydney-20181007-p508a1.html?utm_medium=Social&utm_source=Facebook

On October 7, 2018, The Guardian published a comment by Tim Costello titled 'The Alan Jones-Opera House row proves Sydney is in thrall to the gambling industry'

The opinion piece condemns successive New South Wales governments of doing insufficient to discourage gambling within the state. The comment focuses on the current controversy surrounding Alan Jones' apparent influence over the Berejiklian government.

The full text can be accessed at

<https://www.theguardian.com/commentisfree/2018/oct/07/alan-jones-opera-house-row-sydney-gambling-industry-tim-costello>

On October 7, 2018, The New Daily published a news report titled 'PM Morrison declares the Opera House Sydney's "biggest billboard"'.

The article backgrounded the immediate controversy surrounding the use of the Sydney Opera House to promote the Everest Cup, concentrating on the support given this use by the Prime Minister Scott Morrison.

The full text can be accessed at

<https://thenewdaily.com.au/news/state/nsw/2018/10/07/sydney-opera-house-biggest-billboard-scott-morrison-berejiklian-alan-jones/>

In July, 2017, the Heritage Council of New South Wales released the fourth edition of 'Respecting the Vision: Sydney Opera House – a Conservation Management Plan' by Alan Croker.

The document outlines in great detail the measures which are to be taken to conserve all areas within and around the Sydney Opera House.

The full document can be accessed at <http://apo.org.au/system/files/112936/apo-nid112936-444596.pdf>

In 2013, The Sydney Opera House released its Enterprise Strategy which includes as part of its mission statement 'The Sydney Opera house embodies beauty, inspiration and the liberating power of art and ideas. it is a masterpiece that belongs to all Australians.'

The full text can be accessed at

[https://www.sydneyoperahouse.com/content/dam/pdfs/SOH_ENTERPRISESTRAT_A5_FA_INTOUCH_RESUP_1-\(2\).pdf](https://www.sydneyoperahouse.com/content/dam/pdfs/SOH_ENTERPRISESTRAT_A5_FA_INTOUCH_RESUP_1-(2).pdf)

On May 3, 2012, the Sydney Opera House Trust released the updated 'Illumination of Sydney Opera Sails Policy'. The policy includes the statement 'No logo or corporate identity shall be permitted to be projected onto the Sails.'

The full text of the policy can be accessed at

https://www.sydneyoperahouse.com/content/dam/pdfs/policies/SOH_Illumination-of-SOH-Sails-Policy-2012.pdf

In 2005, the Sydney Opera House published the Statement of Values for Sydney Opera House National Heritage Listing. These are the values that the Sydney Opera House is believed to embody which justify its inclusion in the Australian National Heritage Register.

The full document can be accessed at
<http://www.environment.gov.au/system/files/pages/59ca36d1-4581-4d7d-83d7-04b124d801b1/files/soh-nationalheritageval>

Arguments in favour of the sails of the Sydney Opera being used for advertising

1. Using the sails of the Opera House for advertising does no physical damage to the building. Supporters of the sails of the Sydney Opera House being used for advertising argue that projecting images onto their surface does no physical harm to the building.

This position has been put by the Prime Minister, Scott Morrison, who stated, 'It's not like they're painting it on there, it's lights flashing up there for a brief moment in time, and that goes all around the world... I just don't understand why we tie ourselves up in knots about these things.' <https://www.smh.com.au/politics/nsw/alan-jones-defends-controversial-interview-with-opera-house-boss-louise-herron-20181008-p508bj.html>

The same point has been made by Stephen Fenech, in a comment published in TechGuide on October 8, 2018. Fenech stated, 'There's been a lot of hysteria about...the Opera House sails being used to project the Everest barrier draw – an event that will last all of 10 minutes. It's a projection – they're not repainting the thing.' <http://www.techguide.com.au/blog/outraged-everest-projection-sydney-opera-house/>

Heritage Council chairperson, Stephen Davies, who is opposed to the use of the Opera House sails for advertising, has similarly acknowledged that the projection of light onto the sails of the Opera House cannot be regarded as physically damaging the structure. Davies has stated that he was unable to issue a Stop Work Order regarding the advertising of the Everest Cup because the planned projections by Racing New South Wales did not meet the legal definition of 'harm' as there was no physical damage being done to the site.

<https://www.abc.net.au/news/2018-10-09/opera-house-everest-protest/10357074>

The Conservation Policy in place for the Sydney Opera House is designed to ensure there will be no physical degradation of the building. For example, it states, 'The material selection, placement and fixing of exterior furniture and objects require careful consideration. Past selections have resulted in stains on the granite paving, such as those resulting from the use of steel railing or mobile signage units, aptly referred to as "rust buckets".

https://www.sydneyoperahouse.com/content/dam/pdfs/conservation-management-plan/soh_cmp_printable_1.pdf

Further, according to the 'Operational Guidelines for the Implementation of the World Heritage Convention, 2015: '...To retain integrity, the fabric and significant features of the place should be in good condition and the impact of deterioration processes controlled.'

https://www.sydneyoperahouse.com/content/dam/pdfs/conservation-management-plan/soh_cmp_printable_1.pdf The projection of light upon the sails of the Opera House causes no physical degradation and so contravenes neither the building's Conservation Policy nor the World Heritage Convention Guidelines.

The essential harmlessness of an advertising promotion comprised of images projected onto the sails of the Opera House was highlighted by Gerard Henderson, a columnist for The Australian and Executive Director of the Sydney Institute. Henderson favourably compared the 'Racing New South Wales promotion [for the Everest Cup]...(legally) beamed on the Opera House for a few minutes once a year' with 'the Green Left activists [who damaged] the Opera House with difficult-to-remove paint when demonstrating against John Howard's government' and its involvement in the Iraq War.

<https://www.theaustralian.com.au/opinion/columnists/gerard-henderson/media-watch-dog->

fairfaxes-opera-house-urn-isnt-so-sacred/news-story/337b347953b24ce3bb9444e6243ac90d. Henderson used the comparison to demonstrate that one activity was benign with no lingering physical impact, whereas the other threatened the physical integrity of the building.

2. Using the sails of the Opera House for advertising will contribute to the economies of Sydney and New South Wales

Those who support the use of the sails of the Sydney Opera House for advertising argue that used judiciously to promote significant events the building could boost the economies of both the city and the state.

The Everest Cup, which was run for the first time in 2017, is defended as a major economic opportunity for Sydney and New South Wales. Last year's inaugural event attracted a crowd of 33,000 to Randwick racecourse, while betting turnover was more than 60% above budget, leading to a \$3 million increase in the prize pool in 2018.

<https://www.businessinsider.com.au/the-everest-horse-race-sydney-opera-house-advertising-2018-10> This year a crowd of 40,578 attended the event.

<https://www.theaustralian.com.au/sport/turf-thoroughbreds/the-everest-racing-chiefs-vindicated-after-opera-house-backlash/news-story/f4384d76a5075e93d2bafbd3b386cb21>

The race is viewed as a major boost for tourism, benefitting the state's capital. In 2017, it injected \$100 million into the New South Wales economy and was being predicted to have a similar impact on tourism in 2018, with hotels reporting that weeks in advance they were already at 95 per cent capacity for the race weekend.

<https://www.dailytelegraph.com.au/sport/superracing/highlevel-talks-aim-to-get-the-everest-2018-promoted-in-lights-on-opera-house-sails/news-story/ccd26b141e1e4ee2e1f8be2a9d53e054>

Margy Osmond, chief executive of the Tourism Transport Forum, stated, 'People don't just come for a single night, they stay so you get bigger bang for your buck. The global impact of an event like this is massive. Asia has a very wealthy racing audience and we need to give them every reason we can to come here and spend up big in Sydney.' <https://www.dailytelegraph.com.au/sport/superracing/the-everest-2018-delivers-a-tourist-boom-as-sydney-hotels-reporting-95-per-cent-capacity/news-story/b6c967949dc6321ee9a28ff874293fdc>

The New South Wales Premier, Gladys Berejiklian, ordered Sydney Opera House management to allow Racing New South Wales to advertise the Everest Cup horserace on the sails of the cultural venue. Ms Berejiklian did not initially give the reasons behind her decision; however, she subsequently stated, 'I believe what we're doing is in the right interests of Sydney and New South Wales.' <https://www.sbs.com.au/news/no-brainer-pm-backs-nsw-government-decision-to-put-horse-race-ad-on-opera-house> Though the premier did not specify that she was referring to the economic interests of Sydney and the state, her statement has been interpreted in that light. Prior to the controversy surrounding the use of the Opera House sails for promotion, Ms Berejiklian had stated, 'As well as being a fantastic sporting and social event, The Everest attracts visitors from all over the world to New South Wales. That is great for the economy and great for jobs.'

<https://www.dailytelegraph.com.au/sport/superracing/the-everest-2018-delivers-a-tourist-boom-as-sydney-hotels-reporting-95-per-cent-capacity/news-story/b6c967949dc6321ee9a28ff874293fdc>

The New South Wales premier also stated, 'It's important for us to support our major events, it's important for us to promote New South Wales but, of course, do it in good taste and I believe that tomorrow evening strikes that right balance.'

<https://metro.co.uk/2018/10/08/australians-are-furious-sydney-opera-house-is-being-used-to-advertise-a-horse-race-8015703/>

The Prime Minister, Scott Morrison, defended the New South Wales premier's decision.

Mr Morrison stated, 'This is one of the biggest events of the year. Why not put it on the biggest billboard Sydney has? These events generate massive economic opportunities for the state and the city.

I'd put the Bathurst 1000 (car race) on the Harbour Bridge if I thought it was going to get more people there.' <https://www.sbs.com.au/news/no-brainer-pm-backs-nsw-government-decision-to-put-horse-race-ad-on-opera-house>

The prime minister continued, 'We're talking about an event that is one of the big money spinners for the state. It creates jobs. This isn't about advertising a packet of chips, this is about advertising one of the biggest events that New South Wales holds.

Frankly, I thought it was a no-brainer. I can't work out what all the fuss is about. I don't know why people are getting so precious about it.'

<https://www.news.com.au/finance/business/media/major-protest-planned-against-plans-to-advertise-on-sydney-opera-house/news-story/5bb028bb1e27387b89bde144d02ed0de>

Federal Labor MP, Anthony Albanese, has similarly stated that people should 'chill out a bit' and that there should be no issue with using the Opera House as a 'billboard'. Mr Albanese stated, 'We need to take every opportunity there is to promote Sydney as Australia's global city.' <https://www.businessinsider.com.au/the-everest-horse-race-sydney-opera-house-advertising-2018-10>

Some commentators have stressed that using the Opera House to promote the Everest Cup is a way of supporting New South Wales' struggling rural economy. Dr Rohan Miller, a senior lecturer at The University of Sydney Business School, has stated, 'The racing industry, largely a rural industry, is going through some tough times as it struggles with climate change and relevance in the entertainment and gambling markets. There are an estimated 27,000 equivalent full-time employees who draw their livelihoods from the New South Wales racing industry...If the Opera House as a state-based economic asset can help to keep the racing industry viable, then it should do so.' <https://www.abc.net.au/news/2018-10-08/opera-house-wasnt-meant-to-be-an-ivory-tower/10352042>

3. Using the sails of the Opera House for advertising will not diminish the iconic status of the building

Supporters of using the sails of the Sydney Opera House for advertising claim that this will not undermine the iconic status of the building. They note that many other famous structures have been used for advertising without diminishing their standing.

The image of the Statue of Liberty, for example, has been used for many commercial purposes. The French sculptor who designed the statue, Bartholdi, began the process by licensing its image in 1875 and urging French advertisers to use it. The Statue began appearing on the products and trade cards of American companies by 1877, nine years before it was unveiled. Since then, manufacturers around the world have not hesitated to use the Statue to sell everything from cigars to soap.

<https://www.nps.gov/stli/learn/historyculture/statue-adn-popular-culture.htm> Despite this widespread commercial use, the Statue of Liberty remains an iconic tourist attraction, with a symbolic value that continues to inspire those who see it.

Some other nations have reached commercial agreements with advertisers as a means of funding the maintenance and management of some of their iconic monuments and buildings. Despite this, these buildings appear to have retained their international standing.

In India, the Taj Mahal; the Red Fort, a symbol of India's hard-fought independence and the Sunderbans National Park, one of the last areas where the Bengal tiger can be found, are among a number of the country's national treasures able to be 'adopted' by private and public sector companies or individuals under a new government program. India's 'Adopt a Heritage' scheme has listed nearly 100 sites for adoption with the 'adopters' expected to provide and

maintain tourist amenities. The government has noted that the Archaeological Society of India (ASI) will supervise the scheme in order to ensure the integrity of the sites and adopters will not do restorations; however, adopters will be able to use the sites for advertising.

<https://www.abc.net.au/news/2018-05-18/india-adopt-a-heritage-conservation-fears/9770708>

The New South Wales premier, Gladys Berejiklian, has argued that similar commercial arrangements can be negotiated for the Opera House without damaging its reputation. The premier has argued that so long as the promotion is in 'good taste' and is not out of keeping with the building it will not diminish the status of the Opera House.

The premier has stated, 'It's important for us to promote our major events (and) I believe that tomorrow evening strikes that right balance. I'm very comfortable that what will be displayed ... [will be in] keeping with what the residents of New South Wales expect.'

<https://www.businessinsider.com.au/sydney-opera-house-racing-advertising-social-media-backlash-2018-10>

The premier later stated, just prior to the display of the Everest Cup promotion, 'The version that is going to be displayed on Tuesday is much toned down from what the government was first presented with. What we've arrived at is a compromise, I believe a good compromise under the circumstances and that's why the government proceeded.

There'll be no logos, no names, the only words on there are actually the words of the trophy itself and that is consistent with what has happened in the past.'

Ms Berejiklian stressed that the 'vast majority of the display is artistic' with only three or four minutes that include the trophy image. <https://www.smh.com.au/national/nsw/the-right-thing-for-sydney-berejiklian-defends-allowing-ads-on-opera-house-sails-20181007-p5087m.html>

4. The Opera House sails have a long history of being lit up for a variety of purposes. Supporters of using the sails of the Opera House for advertising note that they have regularly been lit up for a range of promotional purposes. Defenders of the most recent decision to use the sails to promote the Everest Cup argue that it is inconsistent to object to this advertising given the previous extensive and varied use of the sails.

The Opera House sails have been lit from the time the building was completed, while in recent years its lighting has been enhanced to allow it to stand out against a brighter city skyline. <https://www.abc.net.au/news/2018-10-07/opera-house-billboard-is-exquisitely-sydney-stoush/10348648>

The Opera House has been used to promote and celebrate many other sports and companies over the years including cricket, rugby and the Gay and Lesbian Mardi Gras among many many others. An overview of the manner in which the sails have been used throughout the history of the Opera House was published by SBS on October 8, 2018. The background piece states, 'The sails of the Opera House have long featured projections in different colours to draw attention to various charities, sporting victories, cultural festivals - and even to show support to countries following terror attacks... <https://www.sbs.com.au/news/opera-house-why-racing-promotion-is-contentious-while-others-aren-t> For example, the colours of the flag of France were projected to show solidarity following 2015 terror attacks.

Nearly 20 years ago, when Sydney won its bid for the 2000 Olympics, the sails were lit in the Olympic colours and consequently the lighting of the sails continued during the Olympics themselves. Since then the sails have been lit up with the Wallabies rugby logo and an image of the Ashes cup. Last month, when the Opera House celebrated becoming carbon neutral, the sails were lit up in green. <https://www.abc.net.au/news/2018-10-07/opera-house-billboard-is-exquisitely-sydney-stoush/10348648> In December 2017, colours of the rainbow pride flag were projected onto the sails to commemorate the passing of laws to legalise same-sex marriage. <https://www.sbs.com.au/news/opera-house-why-racing-promotion-is-contentious-while-others-aren-t>

It has also been noted that the sails of the building have already been used as part of what some commentators have described as commercial arrangements.

<https://www.smh.com.au/national/logo-a-go-go-will-the-sydney-opera-house-ever-rest-its-sails-20181007-p508a3.html> In 2013, Australians were offered an opportunity to have their photos projected on the sails of the Sydney Opera House as part of a competition to tie in with Samsung becoming principal commercial partner of the Australian landmark. Images sent in by the public were projected onto the sails of the Opera House on the night of April 23, 2013, which coincided with the launch of the Galaxy S4 smartphone. Although no Samsung logos were projected on the Opera House sails, many commentators have seen this as essentially a commercial promotion for Samsung.

Read more at <http://www.adnews.com.au/adnews/singing-a-new-tune-samsung-splashes-big-to-partner-opera-house#UUJfUaa1ws6bo8BJ.99>

The multi-million-dollar, three year arrangement is the largest ever negotiated for the Opera House and is Samsung's largest arts sponsorship. As part of the agreement, Samsung will provide technological support. <https://mumbrella.com.au/samsung-offers-chance-to-get-photo-on-the-sydney-opera-house-sails-as-part-of-new-sponsorship-150303>

The structure is also a centrepiece during Sydney's popular Vivid festival, where multi-coloured displays are projected onto the sails over the two-week event.

<https://www.sbs.com.au/news/opera-house-why-racing-promotion-is-contentious-while-others-aren-t> The Vivid festival is important as a means of promoting tourism to Sydney during the winter and again has a significant economic or commercial dimension..

https://www.vividsydney.com/sites/default/files/DNSW_VIVID_AUS_FINAL_LOW.pdf

Commentators on the increasing commercialisation of the venue argue that it is necessary if the ever-increasing running costs of the Opera House are to be met.

<https://www.smh.com.au/national/logo-a-go-go-will-the-sydney-opera-house-ever-rest-its-sails-20181007-p508a3.html>

The inconsistency of objections to the Everest Cup promotion has been pointed out by Stephen Fenech, in a comment published in TechGuide on October 8, 2018. Fenech stated, 'The Opera House has been used to promote and celebrate many other sports and companies over the years including cricket, rugby and the Gay and Lesbian Mardi Gras among many many others.' <http://www.techguide.com.au/blog/outraged-everest-projection-sydney-opera-house/>

5. Refusing to use the sails of the Opera House for advertising the Everest Cup shows an elitist prejudice against horseracing

Supporters of the Opera House being used for advertising purposes claim that it is cultural elitism to try to prevent it being commercially exploited, particularly in relation to the Everest Cup.

According to this line of argument, the sensitivities of a minority are denying a potential advantage to the majority of the state's citizens. Supporters of using the Opera House as an advertising backdrop argue that it is a government-funded facility and should be used in the best interests of all taxpayers.

Racing New South Wales chief executive and NRL commissioner, Peter V'landys, stated, 'The Opera House belongs to the taxpayers of New South Wales and not just to a minority of elites — it should be used to showcase Sydney so the taxpayers of New South Wales get a return on this magnificent asset.'

This point was also made by 2GB talkback radio host, Alan Jones, in an interview with Louise Herron, the chief executive of the Sydney Opera House. In response to Herron explaining the limitations that were to be imposed on using the Opera House sails to promote the Everest Cup, Jones stated, 'We own the Opera House. Do you get that message? You

don't. You manage it.' <https://www.smh.com.au/national/nsw/alan-jones-calls-on-berejiklian-to-sack-opera-house-boss-over-racing-dispute-20181005-p507x8.html>

When Herron stated that text and logos would not be projected onto the Opera House sails, Jones responded, 'Who said? You. Who the hell do you think ... who do you think you are?' <https://www.smh.com.au/national/nsw/alan-jones-calls-on-berejiklian-to-sack-opera-house-boss-over-racing-dispute-20181005-p507x8.html>

Jones's implication appears to be that the Opera House's management committee is adopting a proprietorial attitude to what is a public asset and preventing the facility being used in the interests of the whole state.

Explaining his demand that Herron be removed from her position if she continued to restrict the use of the Opera House to promote the Everest Cup, Jones stated, 'Yes, I did say I believed her job should be on the line. She might have been representing some people but not the wider public.' <https://www.smh.com.au/politics/nsw/alan-jones-defends-controversial-interview-with-opera-house-boss-louise-herron-20181008-p508bj.html>

Jones suggested that the attitude of Herron and the Opera House management committee was highhanded and discriminatory and not reflective of popular attitudes. He has noted that the sails of the Opera House have been used for advertising in the past and that the refusal to allow explicit advertising of the Everest Cup suggests an elitist prejudice against this particular event. Jones stated, 'Many people have had problems with the same lady [Louise Herron] in the past. I won't go into those problems now. But plenty of correspondence [sic] has talked to me about her being a tyrant... Well done Louise, have you told your left-wing mates that no one has commercialised the Opera House more than you? What's the issue with The Everest?' <https://www.smh.com.au/politics/nsw/alan-jones-defends-controversial-interview-with-opera-house-boss-louise-herron-20181008-p508bj.html>

Peter V'landys, chief executive of Racing New South Wales, has similarly argued that the current dispute represents an elitist bias against horseracing rather than against advertising per se. V'landys stated, 'The Opera House sails have been used to promote other events...such as the Ashes and rugby union. The sails have also been used to promote the Mardi Gras and photos have been displayed on the sails for a Samsung phone promotion.'

https://www.smh.com.au/national/nsw/promotion-was-always-going-to-be-good-for-sydney-20181007-p508a1.html?utm_medium=Social&utm_source=Facebook

V'landys asked Louise Herron, chief executive of the Sydney Opera House, why, if rugby union branding was projected on the sails, the emblem of the Everest Cup could not be similarly displayed. 'Why,' he queried, 'is racing being discriminated against?'

<https://www.smh.com.au/national/nsw/alan-jones-calls-on-berejiklian-to-sack-opera-house-boss-over-racing-dispute-20181005-p507x8.html>

Arguments against the sails of the Sydney Opera being used for advertising

1. Projecting advertising onto the sails of the building undermines the architectural integrity of the Sydney Opera House

The Sydney Opera House is arguably the most architecturally significant building in Australia. Opponents of its use for advertising argue that this use may compromise the building's architectural integrity, distracting those who see it from its aesthetic features and instead directing their attention to the product being promoted on its surface. The aesthetic appeal of the building is potentially diminished and its reputation as a building of great beauty is undermined.

Awards both national and international have demonstrated the intrinsic architectural merit of the structure. The Opera House won the Royal Australian Institute of Architects Award in

1974. In 1980, it won the Royal Australian Institute of Architects Civic Design Award. In 1992, its principal architect, Jørn Utzon, was awarded the Royal Australian Institute of Architects Commemorative Award for the Sydney Opera House.

https://en.wikipedia.org/wiki/Sydney_Opera_House#Awards

On June 28, 2007, the Sydney Opera House became a UNESCO World Heritage Site, having been listed on the (now defunct) Register of the National Estate since 1980, the National Trust of Australia register since 1983, the City of Sydney Heritage Inventory since 2000, the New South Wales State Heritage Register since 2003, and the Australian National Heritage List since 2005. https://en.wikipedia.org/wiki/Sydney_Opera_House#Awards

The Opera House was awarded its National Heritage listing because it 'has outstanding heritage value to the nation because of [its] importance in exhibiting particular aesthetic characteristics valued by a community'. These 'aesthetic characteristics' were specified: 'The design, form, scale and location of the Opera House [which] make it one of the most significant landmarks in Australia. The aesthetic qualities of the Sydney Opera House relate ... [to] its distinctive architectural features.' Among the 'architectural features' that were highlighted was the building's roof which was described as 'sculptural, billowing sail-like ...shells provid[ing] a visual link to and artistic representation of the yacht-scattered harbour waters. The ceramic white tiles of the roof further add to this relationship and provide a dramatic contrast with the blue waters of the harbour... The place's dramatic aesthetic appeal is enhanced by subtle floodlighting on the white roof shells at night.'

<http://www.environment.gov.au/system/files/pages/59ca36d1-4581-4d7d-83d7-04b124d801b1/files/soh-nationalheritagevalues.pdf>

The UNESCO's World Heritage Internet site says of the building, 'The Sydney Opera House constitutes a masterpiece of 20th century architecture. Its significance is based on its unparalleled design and construction; its exceptional engineering achievements and technological innovation... It is a daring and visionary experiment that has had an enduring influence on the emergent architecture of the late 20th century.'

<https://whc.unesco.org/en/list/166>

Critics of the use of the Opera House for advertising are concerned that its nationally and internationally recognised architectural qualities will be undermined by this use. For example, Stephen Fenech, in a comment published in TechGuide on October 8, 2018, noted that when Samsung first became a sponsor for the Opera House, in 2013, 'the iconic building [was transformed]into a massive canvas to promote the Galaxy S4 phone launch [with] projected photos taken with the phone on the Opera House sails. Samsung actually built large wooden structures around the entire site.' <http://www.techguide.com.au/blog/outraged-everest-projection-sydney-opera-house/>

Willy Hall, the son of Peter Hall, the Australian architect who designed the interior of the Sydney Opera House, has similarly stressed the potential damage to the architectural integrity of the building that using its external surfaces for advertising represents.

Mr Hall, speculating about his father's opinion, stated, 'I think, like me, he wouldn't have even been comfortable with [Cricket Australia] projecting an image of the cup that holds the Ashes after Australia's wins this year... I think we need to be careful about accepting advertising of any sort on the Opera House, it is not a good thing.'

<https://www.smh.com.au/national/son-of-sydney-opera-house-architect-appalled-by-advertising-on-sails-20181006-p5085s.html>

The recent use of the Opera House sails as a 'billboard' for the advertising of the Everest Cup has been described as even more visually offensive. The original plan by Racing New South Wales was to hold a live barrier draw and project the results onto the Opera House facade, alongside the jockeys' colours and barrier results and The Everest logo.

<https://www.abc.net.au/news/2018-10-09/opera-house-everest-protest/10357074>

Mr Willy Hall stated, in relation to the proposed Everest Cup promotion, 'My father would have been sickened by it ... he would not have condoned advertising on the building in any way, lucky he's not around to see the desecration of our beautiful iconic masterpiece.'
<https://www.sbs.com.au/news/it-s-not-like-they-re-painting-it-morrison-doesn-t-understand-criticism-of-opera-house-racing-ad>

2. Projecting advertising onto the sails of the building contradicts the cultural significance of the Sydney Opera House

Critics of the use of the sails of the Sydney Opera House for advertising purposes, particularly of an event that promotes gambling, claim that it detracts from the cultural significance of the building.

In an opinion piece published in TimeOut on October 8, 2018, Ben Neutze explained the cultural significance of the Opera House to Sydney. He wrote, 'The venue has upheld cultural integrity over its 45-year history and contributed an extraordinary amount to the city: from the legendary performances of Joan Sutherland, including her farewell in 1990 (in the theatre that would be named after her), to the works of Bangarra Dance Theatre that have emerged from under those sails, gone out into the world, and challenged how we view Australian history.'
<https://www.timeout.com/sydney/news/the-sydney-opera-house-is-not-a-billboard-100818>

Neutz attempted to explain why its commercial use as a 'billboard' was offensive to many Sydneysiders. He stated, 'Referring to the building as Sydney's "biggest billboard", as prime minister Scott Morrison said... entirely misses the point of the building...

It's true that the building belongs to the people of Sydney, but we also own the collective cultural memory that comes with it. That memory is precious, which is why, to quote Scott Morrison, we're being "precious" about this issue. Most of us have our Opera House moments, whether they be enjoying a symphony, partying to a band on the forecourt, seeing the sails light up for Vivid, performing in a school choir in the Concert Hall, watching one of Australia's leading theatre companies reimagine Shakespeare, or discovering a seminal work from an Australian playwright. It's not a billboard – it's our Opera House, and must remain so.'
<https://www.timeout.com/sydney/news/the-sydney-opera-house-is-not-a-billboard-100818>

The importance of only using the sails of the Opera House in a manner that is consistent with the cultural significance and function of the building was further stressed by Joe Skryzinski, the Opera House Trust chairman during Bob Carr's premiership. Referring to the manner in which images were currently projected onto the Opera House sails, Mr Skryzinski stated, 'The policy has been to be sparing in the use of the sails, they are not a billboard for hire ... it has been lit up for cultural and community events which are consistent with the activities that occur at the Sydney Opera House. It's not about being elite, it is about appropriate usage. What next? A horse steeplechase around the Sydney Opera House to promote horse racing.'
<https://www.smh.com.au/national/son-of-sydney-opera-house-architect-appalled-by-advertising-on-sails-20181006-p5085s.html>

Critics of the use of a culturally significant building for commercial purposes have argued that the promotion of gambling is particularly at odds with the building's cultural function. The Everest Cup, as the world's richest turf horserace, is seen to be linked inevitably to gambling.

Stephen Mayne, a spokesperson for the Alliance for Gambling Reform, stated, 'The Opera House should not be downgraded by gambling promotions when New South Wales is already the most gambling-captured jurisdiction where residents lost almost \$7 billion a year on 92,000 poker machines.'
<https://tendaily.com.au/news/politics/a181006nzd/the-sydney-opera-house-battle-a-gambling-marketing-gimmick-20181006>

In an opinion piece published in The Sydney Morning Herald on October 5, 2018, Peter Fitzsimmons berated the New South Wales premier, Gladys Berejiklian, stating, 'You insist that the iconic Opera House ignore its charter and promote a gambling event, all at a time when gambling has never been a greater problem in Australia than right now, with lives destroyed, homes lost and every week more suicides put down to gambling as a cause.'

<https://www.smh.com.au/national/nsw/have-your-race-leave-the-opera-house-alone-20181006-p50859.html>

The Sydney Opera House's mission statement states, 'The Sydney Opera house embodies beauty, inspiration and the liberating power of art and ideas. It is a masterpiece that belongs to all Australians.'

[https://www.sydneyoperahouse.com/content/dam/pdfs/SOH_ENTERPRISESTRAT_A5_FA_INTOUCH_RESUP_1-\(2\).pdf](https://www.sydneyoperahouse.com/content/dam/pdfs/SOH_ENTERPRISESTRAT_A5_FA_INTOUCH_RESUP_1-(2).pdf) Critics note that the promotion of gambling is particularly out of step with this cultural role.

3. Using the sails of the Sydney Opera House for advertising threatens its National Heritage and World Heritage listings

Critics of the use of the sails of the Opera House to advertise the Everest Cup have claimed that the promotion was illegal as it was not approved by the designated authorities. It has also been suggested that this illegal promotion threatens the National Heritage and World Heritage listings of the Opera House.

Sydney's lord mayor, Clover Moore is one of those who have opposed the commodification of the landmark saying, 'I am appalled that the State Government has instructed the Sydney Opera House to ignore its charter and use our iconic sails to advertise a \$13 million horse race. This blatant commercialisation will threaten the Sydney Opera House's World Heritage status.' <https://www.lonelyplanet.com/news/2018/10/19/sydney-opera-house-billboard/> The Opera House is UNESCO World Heritage listed. This means that under the Environmental Protection and Biodiversity Act, any action that has a significant impact on its cultural and aesthetic value is an offence punishable by up to seven years in prison, unless the action is referred to and approved by the relevant minister of the Department of Energy and Environment.

However, the Department has acknowledged that no application was made or considered prior to the Everest Cup promotion. <https://www.crikey.com.au/2018/10/23/everest-debacle-were-the-opera-house-projections-illegal/>

Critics have argued that cumulative instances of advertising on the sails of the Opera House could be viewed as significantly impacting the building's heritage value, constituting an offence unless given ministerial approval. <https://www.crikey.com.au/2018/10/23/everest-debacle-were-the-opera-house-projections-illegal/>

The Opera House's specific National Heritage listing makes explicit reference to the sails twice, underlining the importance of the 'ceramic white tiles on the roof' and the 'subtle floodlighting on the white roof shells at night', which add to the building's 'dramatic aesthetic appeal'. <https://www.crikey.com.au/2018/10/23/everest-debacle-were-the-opera-house-projections-illegal/>

This means actions such as projecting advertisements onto the sails could potentially detract from these values as described in the list, therefore having a significant impact, and requiring ministerial approval. While the department's relevant guidelines for when an action may cause significant impact are largely concerned with physical damage, they do also make reference to actions which 'substantially alter a national heritage place in a manner inconsistent with its values'. <https://www.crikey.com.au/2018/10/23/everest-debacle-were-the-opera-house-projections-illegal/>

Graham Quint, the National Trust New South Wales conservation director, has stated that projecting commercial material onto the Opera House contravened state laws.

The heritage expert added that the Racing New South Wales promotion has now been referred to the World Heritage body UNESCO for a judgement on whether the promotion had violated the regulations that apply to World Heritage sites.

The venue's own conservation management plan states 'the Sydney Opera House exterior, particularly the shells ... should not be regarded as a giant billboard or commercial/advertising opportunity'. <https://www.news-mail.com.au/news/everest-cup-light-show-promo-on-sydney-opera-house/3546199/>

The Sydney Opera House Trust endorses the Illumination of Sydney Opera Sails Policy to guide decisions around requests, practices and procedures for events involving the Opera House. It states: 'no logo or corporate identity shall be permitted to be projected onto the Sails. A colour shall not be used to promote a corporate identity. Unless for a specific artistic purpose in relation to Sydney Opera House, text or slogans will not be permitted.'
<https://www.lonelyplanet.com/news/2018/10/19/sydney-opera-house-billboard/>

4. The use of the Sydney Opera House for advertising purposes is rejected by a majority of those in Sydney

Supporters of the Everest Cup promotion have tried to present themselves as representing the view of the average person against narrow, prejudiced elites. Opponents of the promotion claim that they actually represent the views of a majority of Sydneysiders.

Critics of the Everest Cup promotion argue that the event is run for the advantage of the rich horse owners and gambling interests who gain from it. On October 15, 2018, habitusliving published a comment by Stephen Todd in which he ironically asked how 'the interests of a corporate horserace with a buy-in of \$600,000 in which two of the horses were sired by a stallion owned by Jones somehow represented the interests of some wider public, some citizenry.' <https://www.habitusliving.com/design-hunters/sydney-opera-house-sailsnotsales-2018> Todd accused the Everest Cup supporters of hypocrisy in trying to present themselves as being part of the common people, rather than a rich, privileged elite.

<https://www.habitusliving.com/design-hunters/sydney-opera-house-sailsnotsales-2018>

According to a survey conducted by market research firm Micromex, 66 percent of the 903 people whom they surveyed were 'not at all' supportive of the premier's decision to allow the numbers and colours of horses in the Everest Cup to be projected on the sails of the Opera House, 15 percent were not very supportive, while only 18 per cent were supportive to some degree. <https://www.smh.com.au/national/nsw/eight-out-of-10-in-nsw-opposed-to-berejiklian-s-opera-house-sails-deal-survey-20181009-p508oc.html>

Stu Reeve, the managing director of Micromex, stated, 'There are certainly concerns around the government promoting gambling, and the damage that gambling does to the community. And secondly, that the government is acting at the...behest of interested stakeholders rather than [for] the broader... community.' <https://www.smh.com.au/national/nsw/eight-out-of-10-in-nsw-opposed-to-berejiklian-s-opera-house-sails-deal-survey-20181009-p508oc.html>

When asked whether the values expressed by those politicians who supported the Opera House promotion of Everest were 'in alignment with the broader community', 68 percent of respondents said 'no', 13 percent said 'yes', while 19 percent did not know.

<https://www.smh.com.au/national/nsw/eight-out-of-10-in-nsw-opposed-to-berejiklian-s-opera-house-sails-deal-survey-20181009-p508oc.html>

In addition, a Change.org petition supporting Louise Herron in her attempt to restrict the promotion of the Everest Cup on the sails of the Opera House attracted 311,033 supporters. <https://www.change.org/p/defend-our-opera-house-support-louise-herron-9a97d417-bb75-4737-b572-049aaf357ccf> The petition stated, 'Alan Jones and his gambling mates at Racing

NSW want to turn the Opera House into their own promotional billboard. They've even called for the sacking of the Opera House manager who told them where to get off. Let's remind Alan that the Opera House truly does belong to everyone, by supporting Louise Herron's staunch defence of one of our city and country's few instantly recognisable heritage landmarks.' <https://www.change.org/p/defend-our-opera-house-support-louise-herron-9a97d417-bb75-4737-b572-049aaf357ccf>

Popular opposition to the promotion was also shown on the night it was displayed. More than 1,000 protesters challenged the Everest Cup illumination promotion by disrupting the light show with torches and lamps. When the Opera House sails were finally illuminated the crowds of protesters began booing and sending up helium balloons. They then shone bright lights onto the barrier draw results and from across the other side of Circular Quay; the numbers of the racehorses displayed on the heritage building were obscured.

<https://www.abc.net.au/news/2018-10-09/opera-house-everest-protest/10357074>

5. The use of the Sydney Opera House for advertising purposes may diminish its appeal as a tourist attraction

Among critics who oppose using the sails of the Sydney Opera House as a surface upon which to project advertisements are those who believe this will damage its attractiveness to tourists.

In an editorial posted on travelonline on November 13, 2018, the question was posed, 'The government stated that the aim of advertising on the sails of The Opera House is to bring more tourists and investments to Sydney, but does branding our iconic landmark for commercial gain damage our reputation as a holiday destination?'

<https://www.travelonline.com/news/should-we-allow-advertising-on-our-countrys-iconic-landmarks>

The Sydney Opera House is Australia's primary tourist destination and the country's busiest performing arts centre. Every year the building welcomes more than 8.2 million visitors and hosts 1,800 performances attended by 1.45 million people.

<https://www.buildaustralia.com.au/projects/sydney-opera-house-makes-net-zero-carbon-commitment/>

The Opera House has an estimated value of \$4.6 billion to Australia. It is claimed that the property's direct and indirect contribution to the economy is about \$260 million each year and that there are about 8,500 equivalent full-time jobs directly and indirectly resulting from it through tourism. <https://www.abc.net.au/news/2018-10-08/opera-house-wasnt-meant-to-be-an-ivory-tower/10352042>

Travelonline's editorial suggests that the projection of brands for advertising purposes across the sails of the Opera House could reduce the building's value as a tourist attraction. It states, 'If advertising continues to happen, The Opera House could risk losing its UNESCO World Heritage Listing, which could devalue the landmark and actually damage tourism appeal...

How would you react if you saw a marketing campaign on the Taj Mahal, or branding plastered across Uluru? We think it's clear that our national treasures deserve the respect and admiration that comes with them, and advertising should be limited to important causes, not campaigns for commercial gain.' <https://www.travelonline.com/news/should-we-allow-advertising-on-our-countrys-iconic-landmarks>

Charmaine Moldrich, the chief executive officer of Outdoor Media Association also appears to believe that using the sails of the Sydney Opera House to promote other products may reduce the brand appeal of the Opera House itself. Moldrich states, 'It takes years to build a brand, but it can be damaged in the blink of an eye when we give way to vested interests. A cultural icon like the Sydney Opera House is a building of international significance and a recipient of World Heritage status. It is a building worthy of respect and one that is entitled to

retain its artistic integrity.' <http://www.adnews.com.au/news/should-the-opera-house-be-open-to-advertisers#JsEZ32wVKzAfzp9m.99>

A similar view has been expressed by Tony Barbour, the chief executive officer of Starcom, who argues that using the sails of the Sydney Opera House for purely commercial purposes degrades the building as an iconic global landmark and reduces its capacity to represent the nation internationally. Barbour states, 'The Sydney Opera House is a World Heritage site, not to mention an iconic global landmark, and should be respected as such. It should invoke national pride and therefore support such causes or recognise national achievement. A commercial application to promote random brands or events seems about pure commercial gain for the individual brand or event and not the national agenda or pride.'

<http://www.adnews.com.au/news/should-the-opera-house-be-open-to-advertisers#JsEZ32wVKzAfzp9m.99>

Further implications

The recent controversy surrounding the projection onto the sails of the Sydney Opera House of promotions for the Everest Cup has precipitated discussion of how the building should be used. Two factors appear to have provoked popular outrage.

One was the intrusion of 2GB radio talkback host, Alan Jones. Jones' aggressive interview with Louise Herron, chief executive of the Sydney Opera House, provoked widespread public disquiet. <https://www.theguardian.com/australia-news/2018/oct/06/its-not-a-billboard-anger-at-use-of-sydney-opera-house-for-horse-racing-ads> Jones appeared to be using his claimed influence with the New South Wales government to exert pressure on a public servant charged with protecting the iconic building. <http://radiotoday.com.au/alan-jones-explodes-at-opera-house-boss-over-racing-refusal/> The prompt response of the premier, Gladys Berejiklian, requiring the Opera House management committee to allow the projection of numbers and the branded Everest Cup onto the sails of the Opera House created the impression that Berejiklian was capitulating to Jones' demands. <https://junkee.com/alan-jones-sydney/177363> In reality, the government had been negotiating to have these images displayed on the sails of the Opera House for weeks. <https://www.sbs.com.au/news/nsw-premier-defends-intervening-over-racing-projections-on-sydney-opera-house> At most, it is likely that Jones' intervention precipitated rather than determined the announcement. <https://www.dailytelegraph.com.au/news/opinion/inside-the-plan-to-light-up-the-opera-house-sails/news-story/a48bb789caa1db3c1bf8aae2f250fb40> However, the image created was of a bullying shock jock, with interests in racing, dictating government policy. <https://www.smh.com.au/politics/nsw/alan-jones-bullying-of-worst-kind-diane-smith-gander-20181007-p508ab.html>

The second factor was the nature of this promotion. Advertising a horserace, and particularly this horserace, was unlikely to win immediate popular support. The Everest Cup has no established place on the New South Wales sporting calendar; 2018 was the second year in which the race had been run. Indeed, one of the reasons for Racing New South Wales wanting a major promotion before the race was to help to imbed it in the consciousness of local and international racegoers. <https://www.theroar.com.au/2018/10/11/the-everest-is-not-the-melbourne-cup-and-should-stop-trying-to-be/> Lack of awareness equated to lack of sympathy. One commentator even suggested that projecting a promotion for the Melbourne Cup on the sails of the Opera House would have met with greater public acceptance as that race is at least seen as an Australian national institution with an entrenched history. <https://www.msn.com/en-au/news/australia/opera-house-brand-guru-delivers-slap-in-face-to-racing-nsw/ar-BBO8ecX> Additionally, the Everest Cup promotion coincided with Gambling Awareness Week in New South Wales and prominent anti-gambling spokespeople, including Tim Costello <https://www.theguardian.com/commentisfree/2018/oct/07/alan-jones-opera->

house-row-sydney-gambling-industry-tim-costello and Stephen Mayne
<https://tendaily.com.au/news/politics/a181006nzd/the-sydney-opera-house-battle-a-gambling-marketing-gimmick-20181006>, both of the Alliance for Gambling Reform, seized the opportunity to criticise what appeared to be government-enforced advertising of an opportunity to bet.

What this combination of factors has done has been to train a spotlight on the management of the Sydney Opera House. There is now a growing concern over whether the Act regulating the circumstances under which the sails of the Opera House can be used for advertising purposes is adequate. The current promotion went ahead without an application having been made and there is no certainty as to whether such an application is strictly required under the law. <https://www.crikey.com.au/2018/10/23/everest-debacle-were-the-opera-house-projections-illegal/>

Commentators have noted the growing tendency over recent years to use the Opera House for promotions that could be considered commercial, such as those for Samsung.

<http://www.techguide.com.au/blog/outraged-everest-projection-sydney-opera-house/>

Questions have also been asked about the appropriateness of promoting the NRL and celebrating Australia's recent Ashes victory. It will be interesting to observe the manner in which the sails are used from this point on.

The extent of current popular outrage appears to have made Racing New South Wales wary. It has indicated that it will not be seeking to use the Opera House in the same manner next year. <https://www.news.com.au/sport/superracing/everest-cup-light-show-promo-on-sydney-opera-house-sails-will-not-be-repeated-next-year/news-story/bcb11f03e55c4e53d921ccd0090912b2>

Other potential advertisers are likely to be equally hesitant. Though it is commonly claimed that no advertising is bad advertising, the fact that many people actually attempted to subvert the Everest promotion and Racing New South Wales claims to have received death threats is likely to give future advertisers pause before seeking to use the Opera House in their campaigns.

<https://www.northernstar.com.au/news/the-everest-2018-death-threats-and-protest-plans-o/3544608/>

Whether the laws surrounding the way in which approval is given to use the Opera House sails are tightened remains to be seen. However, it is probable that any government will be more circumspect regarding the types of image it proposes to have projected on the building's roof.

Premier Berejiklian has indicated that she will continue to promote Sydney through the most appropriate means available, including the use of the sails of the Opera House.

<https://www.9news.com.au/2018/10/09/19/56/protest-sydney-opera-house-the-everest-race-projections> Despite this, it would be surprising if she or her successors did not proceed carefully in future regarding the use of the Opera House sails. One of the chants called out by those who gathered to protest at the Everest promotion was 'Goodbye Gladys'.

<https://www.smh.com.au/national/nsw/eight-out-of-10-in-nsw-opposed-to-berejiklian-s-opera-house-sails-deal-survey-20181009-p508oc.html> Gabe Merkel, writing for AltMedia, has suggested, "Though many government officials remain convinced that it is perfectly acceptable to – in the words of Prime Minister Scott Morrison – use the Opera House as “the biggest billboard Sydney has,” the voters may say otherwise.

According to research conducted by Griffith University and Transparency International, 85% of Australians believe most or all politicians are corrupt. With the state election fast approaching, the politicians who backed the promotion may find Alan Jones' influence has a nasty bite when it comes time for their constituents to vote.'

[http://www.altmedia.net.au/shame-on-you-mr-jones/134635hb6uyt5rkcd\]6c=fd';](http://www.altmedia.net.au/shame-on-you-mr-jones/134635hb6uyt5rkcd]6c=fd';)